HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 131 of 2006 (SS)

Mahesh Chandra Upreti S/o Sri Kirti Ballabh Upreti
Junior Clerk, Regional Transport Office,
Haldwani …… Petitioner

Versus

1. State of Uttaranchal
2. Regional Transport Officer, Haldwani
3. Assistant Regional Transport Officer, Haldwani
4. Assistant Regional Transport Officer, Pithoragarh …… Respondents

Sri K.N. Joshi, Advocate for the petitioner
Standing counsel the respondents.

Dated: 15.2.2006

Hon'ble Rajesh Tandon J.

Heard Sri K.N. Joshi, counsel for the petitioner had the Standing counsel for the respondents.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order of suspension dated 28.12.2004 passed by the Regional Transport Officer, Kumaon Region, Haldwani.

According to the case of the petitioner he was appointed as Junior Clerk in the Transport Department on 27.11.1972 and since then he was continuously working in the Department. On 28.12.2004, the Regional Transport Officer, Kumaon Region. The grievance of the petitioner is that from time to time Inquiry Officers were changed. When in point of fact on 12.5.2005

Inquiry Officer Sri S.K. Singh has given a summary inquiry report and on 2.8.2005 the Regional Transport Officer, Haldwani has passed the order appointing another enquiry officer and directed him to file supplementary charge sheet against the petitioner.

The counsel for the petitioner has submitted that on 17.8.2005 the newly appointed Enquiry Officer has sent a letter to the Regional Transport Officer , Haldwani stating that the earlier Enquiry Officer may be asked for further inquiry and fresh inquiry in the matter is not proper.

The petitioner has further submitted that he has filed a representation-dated 30.1.2006 before the Regional Transport Officer, Haldwani for taking final decision in the matter of petitioner's suspension order.

In view of above, the respondents are directed to decide the representation of the petitioner dated 30.1.2006, for revocation of his suspension within a period of two weeks from obtaining certified copy of this order.

Accordingly the writ petition is disposed of. No order as to costs.

Dated: 15.2.2006 **Rajesh Tandon J.**

*Dhyani